

<b>Interview Summary</b>	Application No. 10/656,076	Applicant(s) RHOADS	
	Examiner Andrew W. Johns	Art Unit 2621	

All participants (applicant, applicant's representative, PTO personnel):

(1) Andrew W. Johns, examiner. (3) \_\_\_\_\_.

(2) Steven Stewart, applicant's representative. (4) \_\_\_\_\_.

Date of Interview: 16 November 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 21 and 29.

Identification of prior art discussed: Nagato.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

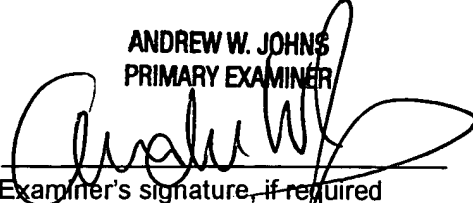
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

ANDREW W. JOHNS  
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative provided proposed amendments to the claim language (attached). Specifically, applicant proposed various alternative amendments to overcome Nagato. In one variation the first information is provided through alterations to data representing imagery or graphics, but not readily apparent to a human observer; another required the information to be detected from scan data generated by visible light scanning; a third defined the second information as "identifying" a jurisdiction or issuer of the document. Examiner indicated that the proposed amendments appeared to overcome the outstanding art rejections..

**For Discussion Only – Do Not Enter**

**PROPOSED Amendments to the Claims:**

1 - 20. (canceled)

21. (previously presented): A method of authenticating an identification document, wherein the identification document comprises a photographic image of an authorized bearer of the document and a machine-readable code, said method comprising:

obtaining data representing the machine-readable code, wherein the machine-readable code comprises:

a first portion including information corresponding the authorized bearer of the document, and

a second portion including information corresponding to a jurisdiction or issuer that issued the identification document; and

determining authenticity of the identification document with reference to at least the first portion and the second portion.

22. (previously presented): The method of claim 21 wherein the machine-readable code is provided on the identification document so that its presence is not readily apparent to human observers of the identification document, yet can be detected from optical scan data generated by optical scanning of the identification document.

23. (previously presented): The method of claim 21 wherein the machine-readable code comprises steganographic encoding.

**For Discussion Only – Do Not Enter**

24. (previously presented): The method of claim 21 wherein the machine-readable code comprises digital watermarking.

25. (previously presented): A computer readable medium comprising executable instructions stored thereon, said instructions comprising instructions to carry out the method of claim 21.

26. (previously presented): A computer readable medium comprising executable instructions stored thereon, said instructions comprising instructions to carry out the method of claim 23.

27. (previously presented): An apparatus comprising:  
electronic processing circuitry; and  
memory, wherein said memory comprises instructions executable by said electronic processing circuitry, said instructions comprising instructions to carry out the method of claim 21.

28. (previously presented): An apparatus comprising:  
electronic processing circuitry; and  
memory, wherein said memory comprises instructions executable by said electronic processing circuitry, said instructions comprising instructions to carry out the method of claim 23.

**For Discussion Only – Do Not Enter**

29. (currently amended): A method of providing an identification document comprising:

providing a photographic image of an authorized bearer of the document on a document surface; and

providing a machine-readable code on the identification document, wherein the machine-readable code comprises:

a first portion including information corresponding the authorized bearer of the document, and

a second portion including information <sup>identifying</sup> ~~indicating~~ <sup>^</sup> ~~[[corresponding to]]~~ a jurisdiction or issuer that issued the identification document;

whereby authenticity of the identification document is determined with reference to at least the first portion and the second portion.

*\*\* the cited page 3, line 9 is an "issuance number", like a driver's license number, but does not indicate a jurisdiction or issuer that issued the identification document*

**For Discussion Only – Do Not Enter**

**29a.** (new): A method of providing an identification document comprising:

providing a photographic image of an authorized bearer of the document on a document surface; and

providing a machine-readable code on the identification document, wherein the machine-readable code is provided through alterations to data representing imagery or graphics on the identification document so that the presence of the machine-readable code is not readily apparent to human observers of the identification document, wherein the machine-readable code comprises:

a first portion including information corresponding the authorized bearer of the document, and

a second portion including information corresponding to a jurisdiction or issuer that issued the identification document;

whereby authenticity of the identification document is determined with reference to at least the first portion and the second portion.

*\*\*The presence of the code in the cited figure 6a and 6b is readily apparent to a human observer, much like a 2-D barcode would be. And IR or UV inks does not alter data representing imagery or graphics.*

**For Discussion Only – Do Not Enter**

**29b.** (new): A method of providing an identification document comprising:

providing a photographic image of an authorized bearer of the document on a document surface; and

providing a machine-readable code on the identification document, wherein the machine-readable code is provided on the identification document so that its presence is not readily apparent to human observers of the identification document, yet can be detected from scan data generated by visible light scanning of the identification document, wherein the machine-readable code comprises:

a first portion including information corresponding the authorized bearer of the document, and

a second portion including information corresponding to a jurisdiction or issuer that issued the identification document;

whereby authenticity of the identification document is determined with reference to at least the first portion and the second portion.

*\*\*pages 9-10 (sixth embodiment) teach away from visible light scanning of the documents. Instead it would use an infrared ink that is detectable only in an infrared spectrum. Even in its simplest method, it would require ultraviolet light illumination.*



**For Discussion Only – Do Not Enter**

30. (previously presented): The method of claim 29 wherein the machine-readable code is provided on the identification document so that its presence is not readily apparent to human observers of the identification document, yet can be detected from optical scan data generated by optical scanning of the identification document.

31. (previously presented): The method of claim 29 wherein the machine-readable code comprises steganographic encoding.

32. (previously presented): The method of claim 29 wherein the machine-readable code comprises digital watermarking.

33. (previously presented): A computer readable medium comprising executable instructions stored thereon, said instructions comprising instruction to carry out the method of claim 29.

34. (previously presented): A computer readable medium comprising executable instructions stored thereon, said instructions comprising instruction to carry out the method of claim 31.

35. (previously presented): An identification document provided according to claim 29.

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**For Discussion Only – Do Not Enter**

36. (previously presented): An identification document provided according to claim 31.